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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,738	03/29/2000	Nadeepuram Kuppanna Ranganathan	II-1	7052
22853	7590	09/24/2004	EXAMINER	
LEVIN INTELLECTUAL PROPERTY GROUP 384 FORESET AVE, SUITE 13 LAGUNA BEACH, CA 92651				BROOKE, MICHAEL S
ART UNIT		PAPER NUMBER		
2853				

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/537,738	RANGANATHAN ET AL. <i>(initials)</i>
	<b>Examiner</b>	<b>Art Unit</b>
	Michael S. Brooke	2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 May 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 21-40 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claims 23, 26, 29, 30, 33 and 37 are objected to because of the following informalities:

- Claims 23, 26 and 29 recite the language "if coupled." This language is ambiguous, as it is unclear as to what happen if the components are not coupled. This language should be amended to positively recite that the components are coupled.
- In claim 30, the word 'it" should be deleted, as the term "it" is indefinite.
- In claim 33, "the port" lacks antecedent basis.
- In claim 37, "pint" should be "printer."

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 21-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Niedermeyer et al. (5,343,226).

With respect to claim 21 and 24 Niedermeyer teaches:

- a container (60) to hold ink,

- a first coupling component (see Fig. 10) of a duplex coupler formed to the container, wherein the duplex container has a poppet valve (94) that is configured to discontinue flow through the duplex coupler when the duplex coupler is uncoupled,
- a second coupling component (63) that is formed of a reservoir (10) and mates with the first coupling component in a gravity feed configuration.

With respect to claim 22 and 25 the first coupling is at least partially inserted into the second coupling.

With respect to claim 23 and 26 the reservoir is positioned below the second coupling and the reservoir has a floor that is substantially flat.

The steps of the method if claims 27-29 are deemed to be inherent in view of the functions of the device of Niedermeyer.

With respect to claim 30 and 32 as can be seen in Fig. 10, the floor has a pitch to urge the ink to an exit port (80).

With respect to claim 31, 33, 37, 38 and 40, a line (18) in fluid communication with the port directs ink from the port, through a pump (12) and then to the print heads (16) (see Fig. 2).

The steps of the method if claims 34 and 35 are deemed to be inherent in view of the functions of the device of Niedermeyer.

With respect to claim 36, the container (60) is positioned above the reservoir (10), the first coupling of the container is connected to the second coupling of the reservoir, wherein the reservoir has a substantially flat surface with a downward pitch.

With respect to claim 39, the container (60) is positioned above the reservoir (10), the first coupling of the container is connected to the second coupling of the reservoir, wherein the reservoir has a substantially flat surface with a downward pitch toward an exit port (80). The exit port is coupled to the print heads by a fluid line (18).

***Response to Arguments***

Applicant's arguments with respect to claims 21-29 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

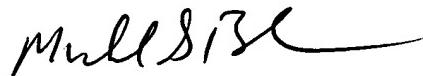
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. Brooke whose telephone number is 571 272-2142. The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael S. Brooke  
Primary Examiner  
Art Unit 2853

MSB  
09/20/04